

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION

MDL No. 1456

THIS DOCUMENT RELATES TO:

CIVIL ACTION: 01-CV-12257-PBS

ALL CLASS ACTIONS

Judge Patti B. Saris

**PLAINTIFFS' RULE 26(a)(3) DISCLOSURES:
DEPOSITION DESIGNATIONS OF SWORN TESTIMONY**

Plaintiffs hereby designate the following depositions to be used at trial.

I. CONSUMER WITNESSES

A. Bob Howe

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	7:4-6	
Plaintiffs	26:15-16	
Plaintiffs	27:1-3	
Plaintiffs	27:6-7	
Plaintiffs	27:12-16	
Plaintiffs	27:22-29:15	
Plaintiffs	30:1-6	
Plaintiffs	31:6-15	
Plaintiffs	32:3-14	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	33:1-3	
Plaintiffs	34:10-19	
Plaintiffs	37:13-39:17	
Plaintiffs	39:20-42:6	
Plaintiffs	42:11-12	
Plaintiffs	42:16-43:3	
Plaintiffs	43:20-22	
Plaintiffs	44:1-21	
Plaintiffs	45:15-22	
Plaintiffs	48:6-17	
Plaintiffs	48:21-49:1	
Plaintiffs	52:12-54:11	
Plaintiffs	55:3-13	
Plaintiffs	56:22-57:1	
Plaintiffs	57:11-13	
Plaintiffs	57:18-58:1	
Plaintiffs	58:4-10	
Plaintiffs	58:13-59:8	
Plaintiffs	60:7-16	
Plaintiffs	61:7-13	
Plaintiffs	62:14-17	
Plaintiffs	65:14-16	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	65:20-67:4	
Plaintiffs	67:8-13	
Plaintiffs	80:15-16	
Plaintiffs	80:20-22	
Plaintiffs	81:3-4	
Plaintiffs	81:8-18	
Plaintiffs	82:15-16	
Plaintiffs	86:13-15	
Plaintiffs	86:17-21	
Plaintiffs	87:6-21	
Plaintiffs	89:19-90:12	
Plaintiffs	90:20-91:3	
Plaintiffs	91:10-15	
Plaintiffs	92:4-6	
Plaintiffs	99:11-17	
Plaintiffs	99:22-100:10	
Plaintiffs	101:13-102:12	
Plaintiffs	102:18	
Plaintiffs	102:21-103:17	
Plaintiffs	122:5-123:2	
Plaintiffs	123:9-22	
Plaintiffs	124:6-20	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	125:1-5	
Plaintiffs	125:7-126:20	
Plaintiffs	131:1-8	
Plaintiffs	136:22-137:3	
Plaintiffs	137:5	
Plaintiffs	137:7	
Plaintiffs	137:10-15	
Plaintiffs	151:11-152:18	
Plaintiffs	157:13-158:5	
Plaintiffs	159:8-10	
Plaintiffs	160:5-162:2	
Plaintiffs	162:14-21	
Plaintiffs	163:13-164:4	
Plaintiffs	165:2-7	
Plaintiffs	207:15-208:3	
Plaintiffs	208:15-19	
Plaintiffs	208:22-209:1	
Plaintiffs	210:3-211:16	
Plaintiffs	211:19-212:14	

B. James Shepley

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	4:1-5:11	
Plaintiffs	5:20-6:9	
Plaintiffs	8:21-9:18	
Plaintiffs	11:12-12:10	
Plaintiffs	12:12-13:14	
Plaintiffs	13:21-14:20	
Plaintiffs	17:20-18:16	
Plaintiffs	18:22-20:2	
Plaintiffs	22:20-23:4	
Plaintiffs	26:7-28:4	
Plaintiffs	30:8-32:7	
Plaintiffs	33:5-20	
Plaintiffs	38:14-21	
Plaintiffs	66:1-11	
Plaintiffs	78:5-79:4	
Plaintiffs	82:21-83:18	

II. ASTRAZENECA EMPLOYEES OR OFFICERS OR RELATED WITNESSES**A. Robert A. Berkman, M.D.**

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	June 15, 2005 Deposition: 12:8-10	
Plaintiffs	13:11-13	
Plaintiffs	19:22-20:3	
Plaintiffs	20:17-21	
Plaintiffs	25:16-26:6	
Plaintiffs	30:12-20	
Plaintiffs	31:16 starting with “Specifically” - 32:4	
Plaintiffs	36:21-37:13	
Plaintiffs	37:19-39:7	
Plaintiffs	40:9-15	
Plaintiffs	44:16-46:3	
Plaintiffs	48:7-14	
Plaintiffs	49:3-50:1	
Plaintiffs	51:13-20	
Plaintiffs	52:11 starting with “T” - 22	
Plaintiffs	65:1-66:3	
Plaintiffs	86:11-21	
Plaintiffs	90:1-15	
Plaintiffs	91:18-92:6	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	92:22-93:14	
Plaintiffs	93:20-94:4	
Plaintiffs	97:1-98:11	
Plaintiffs	102:2-16	
Plaintiffs	104:20-105:21	
Plaintiffs	106:13-18	
Plaintiffs	173:5-14	
Plaintiffs	174:2-6	

B. Robert C. Black

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	August 30, 2005 Deposition: 7:7-10	
Plaintiffs	10:10 starting with “And in” - 22	
Plaintiffs	25:20-27:11	
Plaintiffs	29:12-21	
Plaintiffs	41:1-9	
Plaintiffs	42:7-43:2	
Plaintiffs	46:11-47:5	
Plaintiffs	47:19-48:15	
Plaintiffs	50:2 ending with “Black 003”	
Plaintiffs	50:15-51:2	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	70:1-8	
Plaintiffs	70:17-71:11	
Plaintiffs	83:8-19	
Plaintiffs	85:14-86:8	

C. Christopher Waldo Bowman

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	October 13, 2005 Deposition: 4:7-16	
Plaintiffs	28:15-19	
Plaintiffs	37:14-22	
Plaintiffs	38:4-8	
Plaintiffs	43:12	
Plaintiffs	44:13-22	
Plaintiffs	45:17-46:2	
Plaintiffs	47:14-48:8	
Plaintiffs	51:20-52:4	
Plaintiffs	53:4-14	
Plaintiffs	57:1-10	
Plaintiffs	58:2-9	
Plaintiffs	63:17-64:14	
Plaintiffs	67:1-2	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	69:20-22	
Plaintiffs	70:12-71:2	
Plaintiffs	74:4-8	
Plaintiffs	76:21 ending with “257.”	
Plaintiffs	77:11-21	
Plaintiffs	83:4	
Plaintiffs	83:18-84:6	
Plaintiffs	98:22-99:7	
Plaintiffs	102:12-103:1	

D. David R. Brennan

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	February 14, 2006 Deposition: 6:13-15	
Plaintiffs	6:21-7:1	
Plaintiffs	7:9-8:3	
Plaintiffs	14:9-15:1	
Plaintiffs	15:3 starting with “Return” -18	
Plaintiffs	16:11-17:3	
Plaintiffs	17:6-13 ending with “time.”	
Plaintiffs	18:11 starting with “You” - 12	
Plaintiffs	18:17-19:7	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	20:22 starting with “And the difference” - 21:12	
Plaintiffs	25:7-16	
Plaintiffs	26:2-11	
Plaintiffs	27:18-28:15, 28:19-22	
Plaintiffs	29:1-17, 22	
Plaintiffs	30:1, 4-9, 12-22	
Plaintiffs	31:1-7	
Plaintiffs	33:13-18, 20-22	
Plaintiffs	34:1-4 ending with “that.”	
Plaintiffs	37:5-14	
Plaintiffs	38:8-16	
Plaintiffs	39:8-40:4	
Plaintiffs	44:4-7, 12-16	
Plaintiffs	49:21-22	
Plaintiffs	50:15-51:17	
Plaintiffs	55:9-56:4	
Plaintiffs	56:6-57:18	
Plaintiffs	58:1-8, 12-21	
Plaintiffs	62:16-63:4	
Plaintiffs	63:7-8, 12-16	
Plaintiffs	64:17-22	
Plaintiffs	65:5-12, 18-21	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	67:17-20 ending with “doing that.”	
Plaintiffs	68:12-18 ending with “issue.”	
Plaintiffs	70:8-20	
Plaintiffs	75:19-76:10	
Plaintiffs	86:10 starting with “Was there” - 13, 16-21	
Plaintiffs	95:6-20	

E. Steve Buckanavage

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	June 8, 2005 Deposition: 6:12-13	
Plaintiffs	6:18-7:1	
Plaintiffs	103:10-13 ending with “7146”	
Plaintiffs	103:19-104:4	
Plaintiffs	105:5-9	
Plaintiffs	108:1-110:2	
Plaintiffs	110:10-14	
Plaintiffs	139:9 starting with “As you know”-22	
Plaintiffs	141:12-143:1	
Plaintiffs	145:21-147:10	
Plaintiffs	148:2-3, 11-17	
Plaintiffs	159:18-160:1	

F. Thomas Chen

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	December 14, 2005 Deposition: 7:10-8:20	
Plaintiffs	64:12-65:1	
Plaintiffs	65:19-68:1	
Plaintiffs	68:14-69:12	
Plaintiffs	69:22-70:6	
Plaintiffs	70:13-71:15	
Plaintiffs	77:16-78:9	
Plaintiffs	79:5-15	
Plaintiffs	80:1-20	
Plaintiffs	83:3-84:7	
Plaintiffs	117:2-8	
Plaintiffs	117:15-17	
Plaintiffs	118:3-10	
Plaintiffs	118:20-119:4	
Plaintiffs	119:13-19	
Plaintiffs	119:22 starting with "I mean" -121:20	
Plaintiffs	125:2-126:10, 17-21	
Plaintiffs	149:19-20	
Plaintiffs	150:1-13	
Plaintiffs	151:7-14	

G. Sean Coakley

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	October 25, 2005 Deposition: 10:6-21	
Plaintiffs	23:14-17	
Plaintiffs	24:8-25:14	
Plaintiffs	26:19-27:4	
Plaintiffs	59:9-16	
Plaintiffs	60:6-10	
Plaintiffs	63:10-19	
Plaintiffs	96:1-10	
Plaintiffs	98:22-99:18	
Plaintiffs	101:6-102:4	
Plaintiffs	113:13-114:19	
Plaintiffs	116:8	
Plaintiffs	116:13-117:11	
Plaintiffs	124:7-14	
Plaintiffs	125:8	
Plaintiffs	126:4-15	
Plaintiffs	132:7-11	

H. John R. Freeberry

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	May 20, 2004 Deposition: 6:10-7:3	
Plaintiffs	99:22-100:18	
Plaintiffs	101:2-8, 13-17	
Plaintiffs	109:2-22	
Plaintiffs	167:12-168:20	
Plaintiffs	170:1-16	
Plaintiffs	172:19-173:8	
Plaintiffs	173:18-174:11	
Plaintiffs	October 4, 2005 Deposition: 23:18-20	
Plaintiffs	24:1-13	
Plaintiffs	25:4-5	
Plaintiffs	25:22-27:6	
Plaintiffs	48:15-49:3	
Plaintiffs	49:16-18	
Plaintiffs	90:11-22	
Plaintiffs	114:14-20	
Plaintiffs	115:18-116:3	

I. Stanley Hopkins

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	July 15, 2005 Deposition: 6:20-22	
Plaintiffs	14:5-9	
Plaintiffs	14:19-15:3	
Plaintiffs	18:18-22	
Plaintiffs	19:3-10	
Plaintiffs	26:11-27:2	
Plaintiffs	27:5-10	
Plaintiffs	28:4-19	
Plaintiffs	30:3-9	
Plaintiffs	37:15-38:12	
Plaintiffs	39:20-41:5	
Plaintiffs	43:19-44:13	
Plaintiffs	46:7-18	
Plaintiffs	46:22-47:6	
Plaintiffs	50:6-9	
Plaintiffs	52:13-53:12	
Plaintiffs	53:19-22	
Plaintiffs	56:13-21	
Plaintiffs	57:15-20	
Plaintiffs	59:12-60:4	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	60:21-61:4	
Plaintiffs	65:4-10	

J. Keith Patterson

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	June 28, 2005 Deposition: 7:13-17	
Plaintiffs	7:22-8:1	
Plaintiffs	57:1-6	
Plaintiffs	63:14-64:13	
Plaintiffs	65:2-66:20	
Plaintiffs	67:11-21	
Plaintiffs	114:19-115:4	
Plaintiffs	115:9-21	
Plaintiffs	116:9-10	
Plaintiffs	116:12-16	
Plaintiffs	120:2-121:19	
Plaintiffs	147:13-17	
Plaintiffs	163:11-164:2	
Plaintiffs	165:2-12	
Plaintiffs	185:2-3	
Plaintiffs	185:8-10	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	187:7-16	
Plaintiffs	189:2-190:7	
Plaintiffs	216:5-217:9	
Plaintiffs	224:22-225:3	
Plaintiffs	225:19-21	
Plaintiffs	226:2-17	
Plaintiffs	June 29, 2005 Deposition: 3:4, 17-22	
Plaintiffs	235:13-236:4	
Plaintiffs	240:9-21	
Plaintiffs	241:2-3, 10-13	
Plaintiffs	253:18-19	
Plaintiffs	254:2-3	
Plaintiffs	254:17-255:8	
Plaintiffs	311:15-22	
Plaintiffs	312:3-314:8	
Plaintiffs	316:17-317:15	

K. Mark Reisenauer

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	December 8, 2005 Deposition: 5:5-7	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	9:8-12	
Plaintiffs	16:19-22	
Plaintiffs	29:22-30:8	
Plaintiffs	30:15-32:1	
Plaintiffs	32:7-33:16	
Plaintiffs	34:17-35:9	
Plaintiffs	39:1-40:13	
Plaintiffs	45:3-8	
Plaintiffs	46:8-14	
Plaintiffs	50:14-51:1	
Plaintiffs	56:2-5	
Plaintiffs	67:5-9	
Plaintiffs	68:5-10	
Plaintiffs	69:12-70:4	
Plaintiffs	70:9-22	
Plaintiffs	71:14-72:18	
Plaintiffs	73:21-74:1	
Plaintiffs	74:10-16	
Plaintiffs	93:9-20	
Plaintiffs	94:7-9	
Plaintiffs	95:22-96:6	
Plaintiffs	123:5-124:17	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	138:20-139:16	

L. Erik Schultz

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	February 16, 2006 Deposition: 39:8-13	
Plaintiffs	51:6-22	
Plaintiffs	57:10-21	
Plaintiffs	63:11-64:5	
Plaintiffs	84:20-85:1	
Plaintiffs	87:9-11	
Plaintiffs	88:8-11	
Plaintiffs	90:13-15	
Plaintiffs	92:2 starting with “The brand” - 9	
Plaintiffs	92:14-93:5	
Plaintiffs	93:9-94:19	
Plaintiffs	94:22-95:4	
Plaintiffs	122:20-123:18	
Plaintiffs	165:20-166:10	
Plaintiffs	196:4-10	
Plaintiffs	264:20-265:6	
Plaintiffs	266:5-22	

M. Steve E. Strand

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	June 17, 2005 Deposition: 6:18-22	
Plaintiffs	38:17-39:10	
Plaintiffs	65:5-10	
Plaintiffs	66:4-16	
Plaintiffs	66:21-67:5	
Plaintiffs	69:11-19	
Plaintiffs	70:13-15	
Plaintiffs	70:18-71:2	
Plaintiffs	71:7-14	
Plaintiffs	144:10-22	

N. Carol L. Ware

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	October 25, 2005 Deposition: 17:6-7	
Plaintiffs	19:18-20:4	
Plaintiffs	31:3-20	
Plaintiffs	52:22-53:3	
Plaintiffs	75:5-14	
Plaintiffs	84:13-85:8	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	89:20-90:1	
Plaintiffs	91:1-11	
Plaintiffs	93:1-94:1	
Plaintiffs	94:8-95:16	
Plaintiffs	112:2-10	
Plaintiffs	119:5-20	
Plaintiffs	120:4-20	
Plaintiffs	121:5-9	
Plaintiffs	123:8	
Plaintiffs	124:9-125:2	
Plaintiffs	130:17-20	
Plaintiffs	139:6-7	

III. OTHER WITNESSES

A. Douglas N. Durand

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	279:8-288:20	

B. Kenneth Greisman (Taken in the matter captioned: *Stetser v. TAP Pharmaceutical Products, Inc.*)

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	4:1-5:2	
Plaintiffs	5:8-20	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	6:14-16	
Plaintiffs	7:1-9:19	
Plaintiffs	10:1-11:12	
Plaintiffs	14:15-17:4	
Plaintiffs	17:10-15	
Plaintiffs	17:18-24	
Plaintiffs	18:8-19:24	
Plaintiffs	20:4-14	
Plaintiffs	21:8-12	
Plaintiffs	22:3-16	
Plaintiffs	22:19-21	
Plaintiffs	23:1-28:4	
Plaintiffs	28:7-16	
Plaintiffs	30:10-31:5	
Plaintiffs	32:5-17	
Plaintiffs	33:19-35:24	
Plaintiffs	36:19-37:11	
Plaintiffs	37:16-38:3	
Plaintiffs	38:7-39:17	
Plaintiffs	40:6-41:11	
Plaintiffs	41:13-42:4	
Plaintiffs	42:19-22	
Plaintiffs	43:14-45:20	
Plaintiffs	47:24-49:16	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	49:22-50:8	
Plaintiffs	50:15-51:11	
Plaintiffs	52:17-53:2	
Plaintiffs	53:11-54:2	
Plaintiffs	54:5-55:6	
Plaintiffs	56:11-21	
Plaintiffs	60:12-23	
Plaintiffs	61:6-9	
Plaintiffs	61:12-62:5	
Plaintiffs	66:20-67:11	

C. Dean Sundberg

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	33:8-35:8	
Plaintiffs	38:4-41:24	
Plaintiffs	43:23-45:8	
Plaintiffs	49:2-51:21	
Plaintiffs	52:1-53:3	
Plaintiffs	53:5-54:12	
Plaintiffs	56:18-58:16	
Plaintiffs	60:15-61:17	
Plaintiffs	61:24-62:3	
Plaintiffs	103:14-105:6	

Offering Party	Designation Range	Objection/Counter Designation
Plaintiffs	215:25-220:2	

DATED: March 16, 2007.

By /s/ Steve W. Berman

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CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE

Docket No. MDL 1456

I, Steve W. Berman, hereby certify that I am one of plaintiffs' attorneys and that, on March 16, 2007, I caused copies of **PLAINTIFFS' RULE 26(a)(3) DISCLOSURES: DEPOSITION DESIGNATIONS OF SWORN TESTIMONY** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

/s/ Steve W. Berman

Steve W. Berman